

Chairman Vap called the regularly scheduled meeting to order at 10:05 a.m. with Commissioners Lowell Johnson, Rod Johnson, Landis and Vap present and Commissioner Boyle excused.

GENERAL ADMINISTRATION

Notice was duly published May 24, 2005 on Page 8 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held June 1, 2005 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Attention was called to the following proceedings:

Wednesday, June 1, 2005:

NUSF-4 Commission Hearing Room, Lincoln.
1:30 In the Matter of the Commission, on its own motion, seeking to determine the level of the fund necessary to carry out the Nebraska Telecommunications Universal Service Fund Act beginning July 1, 2005. Commissioner Landis presiding as Hearing Officer.

2:30 Commission Hearing Room, Lincoln.
In the Matter of Schedule A and Schedule E Rates and Charges. Commissioner Rod Johnson presiding as Hearing Officer.

Thursday, June 2, 2005:

Rule and Commission Library, Lincoln. Workshop.
Regulation In the Matter of the Commission, on its own motion, seeking
#157A to amend Title 291, Chapter 9, Natural Gas and Pipeline
10:00 Rules and Regulations, to adopt rules in accordance with
Nebraska Legislative Bill 790 [2003]. Commissioner Landis
presiding as Hearing Officer.

COMMUNICATIONS DEPARTMENT

Pam Karstensen reported on telecommunications complaints received during the preceding month.

C-3273 In the Matter of VCI Company, d/b/a Vilaire Communication Inc., Lakewood, Washington, seeking a Certificate of Public Convenience and Necessity as a local competitive exchange carrier in Nebraska and seeking designation as an eligible telecommunications carrier. Commissioner Rod Johnson presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Lowell Johnson, to enter an order granting the ETC portion. Motion passed with Commissioners Lowell Johnson, Rod Johnson, Frank Landis voting AYE, Commissioner Anne Boyle Excused Not Voting.

COMMUNICATIONS DEPARTMENT (Cont.)

C-3304 In the Matter of Touchtone Communications, Inc., Whippany, New Jersey, seeking authority to operate as a resale common carrier of telecommunications services within the State of Nebraska: A hearing was scheduled for June 8, 2005 at 9:30 a.m. in the Commission Hearing Room, Lincoln. Commissioner Rod Johnson was appointed as Hearing Officer.

C-3415 In the Matter of the Commission, on its own motion, seeking to establish an interim policy on eligible telecommunications carrier standards: Motion made by Commissioner Rod Johnson, seconded by Commissioner Lowell Johnson, to enter an order opening the docket and scheduling a hearing on June 14, 2005 at 1:30 p.m. in the Commission Hearing Room, Lincoln. Commissioner Jerry Vap was appointed as Hearing Officer. Motion passed with Commissioners Lowell Johnson, Rod Johnson, Frank Landis, Jerry Vap voting AYE, Commissioner Anne Boyle Excused Not Voting.

C-3412 In the Matter of N.E. Colorado Cellular, Inc., Fort Morgan, Colorado, seeking approval of a Wireless Interconnection and Reciprocal Compensation Agreement with Great Plains Communications, Inc, Blair: Motion made by Commissioner Frank Landis, seconded by Commissioner Lowell Johnson, to enter an order granting the application. Motion passed with Commissioners Lowell Johnson, Rod Johnson, Frank Landis, Jerry Vap voting AYE, Commissioner Anne Boyle Excused Not Voting.

C-3429 In the Matter of Sprint Communications Company L.P. (Sprint), Overland Park, Kansas, seeking a petition for arbitration under the Telecommunications Act of certain issues associated with the proposed interconnection agreement between Sprint and Southeast Nebraska Telephone Company: Gene Hand informed the Commission that two motions were filed by Southeast Nebraska Telephone Company (SENTCO). One motion seeks to add three individuals to the list of arbitrator candidates mailed to the parties by the Commission. The second motion seeks the Commission to act as arbitrator of the issues in this docket. Commissioner Frank Landis was appointed as Hearing Officer. Commissioner Landis informed the Commission that an oral argument on the second motion was scheduled for Tuesday, June 7, 2005 at 11:00 a.m. in the Commission Hearing Room, Lincoln.

Gene Hand reported that an extension of the Federal Communications Commission's (FCC) June 22, 2005 reply comment date in the Intercarrier Compensation proceeding was likely and the staff will be drafting comments for the Commissioner's review.

UNIVERSAL SERVICE FUND

Jeff Pursley reported on Late-Filed Carrier Remittances: Motion made by Commissioner Lowell Johnson, seconded by Commissioner Frank Landis, to levy late fees against IDT America, Corporation; MCI WorldCom Corporation; Public Communications Services; that a complaint be filed against CommSouth Companies, Inc.; and that complaints be waived against Association Administrators, Inc., Buzz Telecom and Operator Service Company. Motion passed with Commissioners Lowell Johnson, Rod Johnson, Frank Landis, Jerry Vap voting AYE, Commissioner Anne Boyle Excused Not Voting.

Jeff Pursley reported on the hospitals that are receiving support for the Nebraska Statewide Telehealth Network.

E911 DEPARTMENT

PSAP-037 In the Matter of Cass County, Plattsmouth, seeking approval for recurring and non-recurring costs of Wireless E911 implementation: Motion made by Commissioner Lowell Johnson, seconded by Commissioner Frank Landis, to enter an order approving amended costs. Motion passed with Commissioners Lowell Johnson, Rod Johnson, Frank Landis, Jerry Vap voting AYE, Anne Boyle Excused Not Voting.

PSAP-041 In the Matter of Seward County, Seward, seeking approval for recurring and non-recurring costs of Wireless E911 implementation: Motion made by Commissioner Lowell Johnson, seconded by Commissioner Frank Landis, to enter an order approving amended costs. Motion passed with Commissioners Lowell Johnson, Rod Johnson, Frank Landis, Jerry Vap voting AYE, Anne Boyle Excused Not Voting.

PSAP-044 In the Matter of Polk County, Osceola, seeking funding approval for recurring and non-recurring costs of Wireless E911 implementation: Motion made by Commissioner Lowell Johnson, seconded by Commissioner Frank Landis, to enter an order granting the application. Motion passed with Commissioners Lowell Johnson, Rod Johnson, Frank Landis, Jerry Vap voting AYE, Anne Boyle Excused Not Voting.

NATURAL GAS DEPARTMENT

NG-0023.1 In the Matter of Kinder Morgan, Inc., Lakewood, Colorado, seeking approval of a Plan of Action to implement supply cost adjustment associated with Other Services Charge applicable to Nebraska Rate Schedules CGS (Choice Gas Service), ACGS-NSS (Agricultural Choice Gas Service Non-Seasonal Service), and ACGS-SS (Agricultural Choice Gas Service Seasonal Service). Commissioner Landis presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Lowell Johnson, to enter an order issuing an assessment of costs. Motion passed with Commissioners Lowell Johnson, Rod Johnson, Frank Landis, Jerry Vap voting AYE, Anne Boyle Excused Not Voting.

NATURAL GAS DEPARTMENT (Cont.)

NG-0007.1 In the Matter of the Tariff for natural gas service available in the entire territory served by Aquila, Inc., d/b/a Aquila Networks - Nebraska, filed December 22, 2004: Laura Demman provided a report on the stipulation filed June 1, 2005, between the Public Advocate and Aquila for the Economic Development tariff.

Laura Demman provided a report on the number and nature of natural gas consumer inquiries and complaints received during the previous month.

Laura Demman reported on the results for 2005 Kinder Morgan Choice Program.

LEGISLATIVE REPORT

Angela Melton reported on the status of legislation affecting the Commission.

TRANSPORTATION DEPARTMENT

Rate Division

TR-138 In the Matter of Safeway Cabs, Inc., Omaha, seeking authority to adjust its rates and charges: The hearing previously scheduled for a date later to be determined was rescheduled as a video hearing on June 30, 2005, at 9:00 a.m. in the Commission Library, Lincoln; Nebraska State Office Building, Room 207, Second Floor, 1313 Farnam Street, Omaha; Public Library, Second Floor, 517 West 4th Street, Hastings; and Von Riesen Library, Room 6, Basement level, 1205 East 3rd Street, McCook. Commissioner Boyle presiding as Hearing Officer.

MR-930 In the Matter of Movers and Warehouse Division, Nebraska Motor Carriers Association, Lincoln, seeking authority to establish a fuel surcharge in Nebraska Official Household Goods Tariff 7-F: The fuel surcharge was retained at 40 cents per mile.

GRAIN WAREHOUSE DEPARTMENT

GW-589 In the Matter of Midland Co-op, Funk, seeking to issue a duplicate receipt to replace lost receipt B661219: Motion made by Commissioner Lowell Johnson, seconded by Commissioner Frank Landis, to grant the application. Motion passed with Commissioners Lowell Johnson, Rod Johnson, Frank Landis, Jerry Vap voting AYE, Commissioner Anne Boyle Excused Not Voting.

GRAIN WAREHOUSE DEPARTMENT (Cont.)

GW-2135 In the Matter of John Fecht, Director Warehouse Department,
GWC-397 Complainant, v. Wilhelm Grain, Inc., Humboldt. Commis-
sioner Jerry Vap presiding as Hearing Officer: An order
was entered granting a motion for rehearing. An oral argument was
scheduled for June 8, 2005, at 1:30 p.m. in the Commission Hearing
Room, Lincoln.

Grain Dealer Division

GD-2135 In the Matter of John Fecht, Director Warehouse Department,
GDC-397 Complainant, v. Wilhelm Grain, Inc., Humboldt, Defendant.
Commissioner Jerry Vap presiding as Hearing Officer:
Motion made by Commissioner Frank Landis, seconded by Commissioner
Lowell Johnson, to enter an order granting a motion for rehearing.
Motion passed with Commissioners Lowell Johnson, Rod Johnson, Frank
Landis, Jerry Vap voting AYE, Commissioner Anne Boyle Excused Not
Voting. An oral argument was scheduled for June 8, 2005, at 1:30 p.m.
in the Commission Hearing Room, Lincoln.

GENERAL ADMINISTRATION

Motion made by Commissioner Frank Landis, seconded by
Commissioner Lowell Johnson to approve the following Commission
invoices. Motion passed with Commissioners Lowell Johnson, Rod
Johnson, Frank Landis, Jerry Vap voting AYE, Commissioner Anne Boyle
Excused Not Voting.

Kelly Services	\$	573.13
Kelly Services		700.00
Lincoln Police Garage		867.24
Anne Boyle		437.40
Rod Johnson		453.31

Motion made by Commissioner Frank Landis, seconded by
Commissioner Lowell Johnson, to schedule a Commission meeting for
June 21, 2005 at 10:00 a.m. in the Commission Hearing Room, Lincoln.
Motion passed with Commissioners Lowell Johnson, Rod Johnson, Frank
Landis, Jerry Vap voting AYE, Commissioner Anne Boyle Excused Not
Voting.

Motion made by Commissioner Lowell Johnson, seconded by
Commissioner Frank Landis, to schedule third quarter Commission
meeting dates. Motion passed with Commissioners Lowell Johnson, Rod
Johnson, Frank Landis, Jerry Vap voting AYE, Commissioner Anne Boyle
Excused Not Voting. Commission meeting dates were scheduled as
follows:

July 6 (Wednesday), 12 and 19
August 2, 9, 16, 23 and 30
September 7 (Wednesday), 13, 21 (Wednesday) and 27

There being no need to address any matters in closed session, the meeting adjourned at 10:40 a.m. with Commissioners Lowell Johnson, Rod Johnson, Landis and Vap present and Commissioner Boyle excused. The next regularly scheduled meeting will be held on June 7, 2005, at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on June 6, 2005.

Chairman

Executive Director